

**ASSEMBLY BILL**

**No. 768**

**Introduced by Assembly Member Nation**

February 18, 2005

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An act to add Section 54.9 to the Civil Code, relating to touch-screen devices.

LEGISLATIVE COUNSEL'S DIGEST

AB 768, as introduced, Nation. Touch-screen devices.

Under existing law, individuals with certain disabilities are entitled to equal access rights to various facilities. Existing law requires certain existing point-of-sale systems that include a video touch screen or nontactile keypad to be equipped, on or before January 1, 2010, with a tactually discernible numerical keypad meeting specified requirements that enables a visually impaired person to enter personal information necessary to process a transaction.

This bill would require an existing touch-screen device that is accessible by the general public and provides either personal or public information to be equipped, on or before an unspecified date, with the necessary technology to enable a visually impaired person to access the device.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares the
- 2 following:
- 3 (a) While the advancement of digital technology has provided
- 4 numerous conveniences and expediciencies in many aspects of our

1 personal and professional lives, it has also introduced numerous  
2 obstacles.

3 (b) Touch-screen devices, especially point-of-sale devices in  
4 most retail outlets, transportation facilities, and entertainment  
5 venues, present hindrances to blind and visually impaired people.  
6 They have created an environment in which blind and visually  
7 impaired citizens are not allowed to shop independently and are  
8 often put in situations where their safety and security are severely  
9 compromised.

10 (c) The widespread implementation of touch-screen devices is  
11 completely inaccessible to the estimated 10 million blind and  
12 visually impaired people currently living in the United States.

13 (d) The number of people excluded from using this technology  
14 will grow sharply in the next few decades as the aging population  
15 increases and more people experience vision loss due to  
16 complications of diabetes and other ailments.

17 (e) The use of this rapidly expanding technology requires the  
18 consumer to possess well functioning eyesight, particularly when  
19 tactile keypads are replaced with smooth, touch-screen windows.

20 (f) Recent laws have been approved to address the need for  
21 accessibility to touch screen-devices in several different  
22 industries; however, the growth of touch-screens in many other  
23 industries continues.

24 (g) With the growth of this technology, uniform standards are  
25 needed for nonaudible touch-screen devices used by the public.

26 SEC. 2. Section 54.9 is added to the Civil Code, to read:

27 54.9. On or before \_\_\_\_, any existing touch-screen device that  
28 is accessible by the general public and provides either personal or  
29 public information shall be equipped with the necessary  
30 technology to enable a visually impaired person to access the  
31 device.